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affairs, and they can act as assessors at the deliberations of the councillors. The chief cannot disregard their opinion, otherwise internal dissensions and even tribal disruption may ensue.[1] They serve to give more emphasis to the popular voice in determining public policy.

The council is the tribal executive. It makes wars and treaties, rules and regulations for the public conduct, and deals with the internal and economic affairs of the tribe, as well as with inter-tribal relations. In its proceedings the vote of the chief is generally of no greater weight or value than that of any one of the elected councillors, although his expressed opinion bears great influence and probably ensures a majority for him in most cases, while if he is a man of strong character he may even succeed in dominating the others. The council is also the main court of justice. Civil litigants and criminals, who are usually dealt with by the magistrate or the sub-chiefs acting as the chief's deputies, can resort to it as a final court of appeal. Cases of serious import or serious charges involving possibly a sentence of capital punishment are generally dealt with by it as a court of first instance. In such cases an appeal lies to the chief in person, who has the right to exercise his prerogative of mercy. No capital punishment can legally be executed before he has expressly given his sanction.

In large tribes each outlying village or kraal is governed by a sub-chief ("onderkapitein"), appointed as deputy of the tribal chief by the chief-in-council. Often enough this sub-chief is one of the chief's closer relatives in the male line. He has his own local councillors, court, and officials, and can deal with all matters arising within his jurisdiction. There is always an appeal from his court to the main tribal council although as a rule the chief never deals with such an appeal without first referring the matter back to him for report.

Apart from the fact that the chief is generally the wealthiest man in the tribe, he is not distinguished in any special way from his subjects. At most his hut is somewhat bigger, and at communal meals he receives the best portion of meat, viz. the hind quarters.[2] Shaw, writing in 1821,[3] says also that the chief claims a part of every animal taken in hunting; moreover, on the death of his wife, every adult man has to give him a cow, which, however, is returned after a certain

[1] Cf. the illustrations given of this by von François, *op. cit.*, 57, 218.
[2] Hahn, "Die Nama-Hottentotten," 357.
[3] *Report of the Wesleyan-Methodist Missionary Society*, 1821, pp. lxxvi-lxxvii; cf. Idem, *Memorials of S. Africa*, 42.

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643 554 651 number of years. He also keeps a large quantity of milk at the door of his hut, which he distributes to the poor and the needy. None of these statements has been confirmed by later writers, with the exception of the tribute of game, which, as we have seen, is also mentioned by Wandres. Kohler's informant, on the other hand, explicitly denies that such a tribute is paid, and this would seem to be confirmed, at least as far as more recent times are concerned, by the statements of several other writers that the chief receives no tribute from his subjects. Nor does he levy any taxes, although in case of war or other extensive undertakings collections may be held or requisitions made, to which every tribesman has to contribute according to his means. The fines levied in criminal cases, however, often go to the chief, or are shared between him and the judges. He can also accept a share of the damages awarded in a civil dispute, but there is no obligation on the successful litigant to pay this. It is regarded merely as a voluntary gift for the trouble taken, and the same is probably true in those cases, mentioned by Wandres, where the chief regulates inheritances. In co-operation with his council the chief can also impose orders upon his people, which as a rule are implicitly obeyed. He can, e.g., cause certain grazing grounds to be vacated, in order that they may be rested. He has also the right to use the labour of the people for public purposes, such as mending roads, building schools, or churches, opening up water and furrows, and so on. All adult males further are liable to be called out for military duty at any time.

643 554 It may be added that, according to Hahn, a Hottentot chief is expected "to have an open house and an open hand" and the worst that can be said of a chief is that he is *gei-//ara*, i.e. "greatly left-handed or stingy." "It happens sometimes," Hahn even says, "that another man is made chief, who is expected to be more liberal."[1] There is no instance on record, as far as can be ascertained, of such a deposal having taken place, and the statement seems contradictory to the genuine respect attached by the people to the hereditary rights of the chief. "Our chiefs are not made," they say, "they are given by God." And Eduard Lambert, when on the death of his brother Andries the German authorities wished him to act as chief of the Gei //Khauan, the rightful heir being several hundred miles away, is said to have at first declined the proposal, with the words: "One

[1] *Tsuni-//Goam*, 173; cf. Wandres, "Die Khoi-Khoin," 322.

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695 was listened to with undivided attention. The matter was then thoroughly discussed by the councillors, the verdict being arrived at by the decision of the majority. If the accused was acquitted, a few head of cattle from the herds of his accusers were adjudged to him as compensation. But if he was found guilty, and the headman, 696 in whose hands the final sentence lay, pronounced in favour of death, the sentence was immediately executed. The headman, as chief executioner, rushed towards the criminal and felled him to the ground [684] with a heavy blow of the kirri; all the other men then violently attacked him until he was beaten to death.[1]

672 No distinction was made in the execution of this sentence according to the status, wealth, age, or sex of the criminal; the headman himself, if found guilty of such a crime, would be dealt with in the same [764] way. The body of the criminal, however, was buried with all the customary formalities observed in normal cases of death; his property was inherited as usual by his heirs, and no stigma attached to them as 631 a result of his crime and his fate. There is good reason for supposing 695 that this corporal punishment was not necessarily carried to extremes, but could be made more or less severe, according to the nature of the case and the decision of the council.

692 There was no appeal from the verdict of the kraal council, either 694 in civil disputes or in crimes. The main tribal council, consisting of the chief and the kraal headmen, dealt only with disputes between different kraals. It was summoned by the chief on receipt of any complaint, and its proceedings were conducted along the same lines as those of the kraal councils.

692 The description given above can hardly be regarded as exhaustive or even as entirely trustworthy. Its interest lies mainly in the comparison it affords with the conduct of trials among the Naman, about whose legal usages we have more adequate information.[2] The local kraal councils can deal with civil disputes and minor offences, and impose corporal punishments or fines; but there is always an appeal from their judgments to the main tribal council, to which all cases of importance are also referred as a court of first instance. No special distinction is made in procedure between civil and criminal 693 cases. The judges in all important trials are the elected councillors

[1] An eye-witness account of such an execution, in which four men were beaten to death, is quoted by Godée-Molsbergen, *op. cit.*, i, 172–3.

[2] The fullest accounts are given by Wandres, "Ueber Rechtsverwandte und Rechte der Hottentotten," 270–6; Vedder, "The Nama," 149–51; Kohler, "Das Recht der Hottentotten," 319–7; cf. also Hahn, "Die Nama-Hottentotten," 308; von François, *Nama und Damara*, 221; Wandres, "Die Khoi-Khoin," 324–5; *Report on the Natives of S.W.A.*, 73–6 *passim*.

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of the tribe. The eldest of them presides over the proceedings; 693
the others are his assessors, *nu-aogu*, and can take part freely in the examination of the litigants or accused and of the witnesses. One of them also acts as public prosecutor, another as advocate for the defence (*gowaka-aob*, intercessor). The post of councillor, as we have seen, is honorary and carries no salary, but certain court fees are levied in trials. The complainant must deliver a couple of fat goats in advance in order to have his case heard, and these provide food for the judges as long as the court sits. The defendant also may be required to contribute a similar fee, even before the verdict is arrived at.

The initiative in any legal proceedings lies in the hands of the 694
complainant. Self-help is not permitted. He must lodge his grievance with the official known as the magistrate. The latter then summons the councillors, who assemble together on the day fixed for the hearing. The court meets as a rule out in the open, under the shade of some tree, where all squat in a circle. The litigants or accused and the witnesses are then summoned by the public messenger, who as sign of his function carries with him a long stick. With this, on entering the hut of the defendant, he knocks three times on the ground, without speaking a word. Then he goes away as silently as he came. The defendant now knows that his presence is required. If he refuses to appear, which in fact seldom happens, or fails to send an acceptable excuse in time, several strong men are sent to take and bring him by force. For defying the summons he then receives a special flogging. [681] ●
If he is accused of some crime, and is suspected of meditating flight, he is brought before the court with a riem[1] round his neck and his hands tied behind his back. Witnesses summoned are obliged to appear, and if they do not are fetched and punished in the same way as the defendant. The latter must stand or kneel in the centre of the court 695
circle, but if a woman is permitted to sit. The complainant stands or squats nearby till he is called upon to speak, and the summoned witnesses must also remain within a reasonable distance.

The magistrate now states the case to the council. The chairman then calls on the complainant to speak, next on the defendant and on all the witnesses one after the other. One witness as a rule is sufficient, but more are desirable. No hearsay evidence is allowed; only what the witness has himself seen and heard is admitted as valid. False testimony is severely condemned, the perjurer being punished [687]
according to the mischief he causes. Examination and cross-examination are conducted by the councillors. They rarely employ direct 695 195

[1] [i.e., a thin strip of cowhide. – Analyst]

695 [195] questions, but prefer to arrive at their point by circumlocutions. When they have probed the matter to their satisfaction, or when the accused has either confessed or been reduced to helpless silence by all the cross-questioning, both parties, together with the witnesses, have to withdraw to a distance. The case is then discussed among themselves by the councillors, and judgment is arrived at unanimously, if possible. Only in cases where there is no consensus of opinion is the matter referred to the chief, whose casting vote settles the question finally.

The verdict, opening with the words: "In the name of the chief's law," is pronounced by the chairman, and is forthwith executed. 696 Sentences of death are carried out by the official executioner, who is 681 appointed from time to time by the council, and by his assistant; if corporal punishment has been decided upon, the *nou-aob*, "thrashing-man," gets into action; while any fines levied are collected by the magistrate. The costs of the action, in the form of goats paid as court fees, always fall upon the losing party. If this is the defendant, he must also replace the goats delivered at the beginning of the case by the complainant.

695 No torture is employed in legal trials, nor are there any special oaths or ordeals. Wandres describes, however, what he terms a sort of duel by warrant, which was sometimes resorted to in the past. This duel, *thigu*, could take place with or without weapons. When the councillors were unable to secure harmony between the litigants, the oldest of them took some sand in the palm of each hand, which he held out before the two men, or else he poured a little sand on to their shoulders. If the challenge was accepted, the sand was brushed away; but if one of the men refused it, he was branded as a coward and held to be in the wrong. Where both accepted the challenge, the councillors formed a ring around them. They then attacked each other with their fists, kicked, wrestled, and bit, until one of them [574] was overpowered. Reconciliation followed. The victor slaughtered a fat sheep, which was eaten by him and his opponent, with the councillors as guests. Before the feast the two men shook hands in a friendly manner, and as sign of their reconciliation they ate together out of one dish. Finally there followed a general shaking of hands. The duel with weapons was of a more serious nature, and might even result in death. If reconciliation could not be brought about by the councillors, the two men left the court in a rage, and fought with their kirris or spears until one of them was stretched senseless, perhaps

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even dead, on the ground. The victor was not punished, and in some cases he also inherited the property of his unfortunate opponent.[1] 695

Another resort sometimes employed was divination. If the council was unable to decide the guilt of a person, the diviner, *ku aob*, was called in for assistance. He had with him two small strips of leather, *kura*, one with a copper bead, the other with an iron bead attached to the end. The former was regarded as male, the latter as female. These leather strips the diviner beat on the fist of his hand or on the ground, at the same time invoking the oracle with the words: *mi, mi, amae mi, homits gao, ota mi ais !na khau tsi!* "Tell, speak, tell the truth, if you lie, then I will burn you in the fire!" Then he jerked the strips from his hand into the circle formed about him by the council with the litigants or the accused. The ends to which the beads were attached had to point towards the culprit. Wandres explains the working of this method by the firm belief which the Naman even at the present time have in this oracle. The diviner, a skilled reader of men, carefully observes the litigants or the accused while busy with his strips. The real culprit, like all the others, believes in the efficacy of the oracle, and therefore cannot hide his apprehensions, with the result that the diviner can readily recognize his man, and with a twist of his hand divert the strips towards him.[2] 695 787

The main penal sanctions among the Naman are flogging, fines, and death. A sentence of death can nowadays only be passed by the European administration and its duly-constituted law courts, to which all cases involving it must be referred. Punishment in the native courts is therefore confined to flogging and to fines payable as a rule in goats. There are no fixed rules for the degree of punishment, but certain pragmatic principles are observed. Offences against the community are more severely punished than those against individuals. Accidental misdeeds are not regarded as crimes; but unsuccessful attempts meet with punishment, while self-defence, although not sufficient ground for acquittal, produces amelioration of the sentence. Incorrigible offenders are expelled and their property confiscated; in the old days they might even be killed. The confirmed cattle thief has to expect harder punishment at every conviction, until ultimately the death sentence would formerly have been decided upon; nowadays the matter is then referred to the law courts of the Europeans. 681 [673]

[1] Op. cit., 272–3; cf. Hahn, *Tsuni-//Goam*, 101–6.

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68 Theft as a rule is punished by flogging, administered with the sjambok, and the thief must also make twofold restitution. Sexual crimes, such as incest, adultery, and rape, are, as we have seen, punished by fines, floggings, confiscation of property, or even by death, according to the nature and circumstances of the offence. A man who insults or slanders the chief or a councillor is flogged till he becomes unconscious; if he slanders a dead man he is fined one or two head of small stock, and if the offence is repeated he receives fifty lashes and must pay a fine in cattle. The infliction of mild bodily injuries meets with a fine, and the culprit must, in addition, support the victim and his family until the former is well again; if the injured man is himself the cause of the strife, his assailant goes free. In severe bodily injuries leading to death, it is specially investigated if the wounds were deliberately caused or not. In the latter case all the assailant's property is given to the relatives of the deceased, and he receives a severe flogging as well, unless his relatives ransom him by paying a heavy fine. In the former case he was sentenced to death. The death sentence was also imposed for high treason, deliberate murder, and incorrigible stealing. Incorrigible thieves were stoned or beaten to death, but a murderer was killed in the same way as he had caused the death of his victim. If by shooting, then he was also shot; if by stabbing, then he was stabbed; if by beating, then he was also beaten to death, and so on. Wandres states also that a sorcerer who by his magic had caused the death of a man was killed and his body burned, but this lacks confirmation. Attempted homicide is punished by a flogging of from a hundred to a hundred and fifty lashes, unless the intended victim is the chief, when in former days the assailant was sentenced to death.

● 681 696 In the infliction of these punishments, the poorer members of the tribe, the servants and other inferiors usually come off worst. This is a point made by several reliable observers, and emphasized by Vedder, when he says: "Since South-West has become a colony and a mandated territory, confidence in their own jurisdiction has decreased even where it has been left in their hands. They do not regard their own judges as impartial enough to administer justice to the complainant or accused. This is no wonder! As a result of their close cohabitation it is very difficult for a judge to administer justice quite regardless of the person and his property."[1] The more wealthy and influential people are on the whole treated less severely,

[1] Op. cit., 143.

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and formerly they could even escape the death sentence for murder by a payment of cattle to the chief. But the possible shielding of murderers in this way always exposed them to the blood feud. If, through favouritism or for political reasons, a murderer was acquitted by the council, the nearest relative of the victim had the right to take the law into his own hands and to kill him.

Blood vengeance, *//kharab*, for the death of a near relative was a sacred duty to the Hottentots.[1] A son avenged the death of his father, a brother his brother, and if there was no son to take vengeance for the death of a woman her husband was obliged to do so. Killing in such a case was no crime, and neither the chief nor the council had the right to intervene and punish the avenger for his act. The case is cited of the well-known traveller and explorer Charles John Andersson, who about 1861 shot an Afrikander Hottentot near Windhoek in what he alleged was self-defence. He reported the matter to the chief Jonker Afrikaner, and as a result was brought before the chief and tribal council for trial. The council, after hearing the evidence, was satisfied, rightly or wrongly, that Andersson had exceeded his rights and had gone too far. But in view of the fact that he was a European and a British subject, the chief was reluctant to punish him. So, "I release you," said Jonker, "but," he added, "according to our law the brother of Hartebeest will kill you and must kill you, so flee for your life."[2]

In all probability the blood feud was formerly very extensively practised, especially in connection with the clan organization. We know from accounts left us by travellers among the Naman in the early part of last century that at that time the vendetta was still in full force among them, and the chief was unable in the interests of the tribe as a whole to prevent two clans from carrying out vengeance one on the other, or to force them to accept compensation. Alexander gives an account of such a vendetta among the Bondelswarts when he was travelling among them in 1836, and in the Rhenish Mission Record for 1856 there is an account of another vendetta at Bethanie among the !Aman Hottentots.[3] According to Wandres the feud ceased when revenge for the death had been taken, but other accounts imply that it was kept up as a continuous vendetta. Hahn states that

[1] Hahn, "Die Nama-Hottentotten," 306; Wikar, op. cit., 134; Kohler, loc. cit.; Wandres, op. cit., 276.
[2] *Report on the Natives of S.W.A.*, 74.
[3] Hoernlé, "Social Organization of the Nama," 16, quoting Alexander, op. cit., i, 187, cf. 211; and *Berichte der Rheinischen Mission*, 1856, p. 274.

South West has become a colony and a mandated territory, confidence in their own jurisdiction has decreased even where it has been left in their hands. They do not regard their own judges as impartial enough to administer justice to the complainant or accused. This is no wonder! As a result of their close cohabitation it is very difficult for a judge to administer justice quite regardless of the person and his property. 692

3. In earlier days and in some tribal unions still to-day the procedure in a law-suit is as follows: The complainant lodges his complaint with the magistrate who at the same time exercises the powers of a policeman. The magistrate then summons the judges; and the complainant and accused are summoned by messengers. The sitting takes place in the open as a rule. The complainant has to provide sufficient food for the judges as long as they sit. Generally he delivers some goats in advance in payment of the legal expenses. If the accused is unwilling to appear he is brought by force by strong men duly authorised in such circumstances. The complainant as well as the accused stand at a distance from the place where the court is held or squat down on the ground till they are called. The summoned witnesses also remain within a reasonable distance. The magistrate then lays the case before them. The eldest person amongst the judges, who is chairman, then gives the complainant the word. Thereupon the accused is heard. Care is taken that only one person speaks at a time; for the rest absolute freedom prevails. If the case has been sufficiently investigated the complainant and the accused together with the witnesses have to withdraw. The judgment is passed unanimously when possible and pronounced by the chairman. If punishment is to be inflicted it is executed at once and the accused has to replace the goats paid for expenses by the complainant. 695

4. The methods of punishment in olden days were: Death, executed in many ways according to the nature of crime. He, who had slain someone, was beaten to death with clubs and sticks. When one had shot another, he also was shot. Other sentences were: Fines, payable in goats; corporal punishment in the form of flogging or branding and, lastly, confiscation of property or the declaration of such people, who have been found to be a danger to the public, as of unsound mind. These were then outlawed and could be done away with, without being punished. To-day a sentence of death can only be passed by the Government and duly constituted law-courts. Punishment among the Nama to-day is confined to flogging, fines and fees payable in goats. 681

5. Rules for the degrees of punishment were never, and have not yet been, definitely fixed. Nevertheless no rule was allowed to be broken within certain boundaries. The confirmed cattle-thief had to expect harder punishment at each conviction and these were usually meted out in the form of 681 685

681 cuts with a stick until ultimately, in the olden days, the death
[685] sentence was decided upon. At the present time, the matter is then referred to the law-courts. In the case of corporal punishment the sentence was usually based on the principle of: Eye for an eye and tooth for a tooth—unless the parties
[682 agreed upon another form of indemnity. Murder, high
687 treason, attempted murder of the chief and incest were always
684 punished with death according to the deposition of the old people. For the execution of corporal punishment a bailiff was appointed and fines were collected by the magistrate.

673 6. Generally they regard disrespectful behaviour towards the old, murder, homicide, bodily injury, theft, illegitimate impregnation and treason as punishable offences.

Lies and perjury are also deemed improper, but are not
[835] subject to legal punishment. In the same way adultery is not punishable. Incest becomes a case for the law only when the father refuses to be responsible for the sustenance of the child during its first years, namely, the time when it needs
[388] the nursing of the mother. As soon as the child is five years of age, the father takes it and the payments, which as a rule were in cattle and to-day are in money, cease.

It cannot, however, be said that these forms are valid everywhere where there are still unbroken Nama tribes ruled by a chief; and although they still know their old laws, they do not avail themselves of them in every case.

421 7. The proprietary rights of the old Nama were not extensive, and those of the present generation are still more limited as a result of the fact that they hardly possess any lands. Generally speaking we may say that the individual possesses nothing but is the usufructuary of what the family possesses. This even includes clothes and things for daily use.

422 Under personal property one understands the possession of cattle. A child even may receive one or more goats from his father and he uses their milk. He has the right to milk such goats without permission and their progeny are his property. Where natural conditions make it possible every person—man, wife, child—possess a few goats, sheep or even cattle. When these are to be sold it becomes manifest that this personal property continues to be regarded as family property, because in such cases, the whole family and not the individual decides whether there should be a sale or not.

423 The land or their tribal territory can under no circumstances become the property of an individual, neither is it the property of the chief. He has not got the right to dispose of or to give away anything of the territory which, in all respects, is regarded as common tribal property, unless the money received be divided amongst the families of the tribe, after they have consented to such a sale. The boundaries of a tribal territory, however, are not fixed. All lands and grounds where members of a tribe have previously grazed

8: Dapper Q-4 (no date) 1933
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000 Ontrent over vijf jaren is 't gebeurt, dat zeker perzoon, een grote vrient en na-maeghschap van den *Koehque* of Koning van de *Saldanharz*, in bloetschande was vervallen, doch deed evenwel, zonder aenschou op zijnen perzoon, recht over den zelven, maer raekte nogtans door grote voorspraek met een roede geeseling, en ontnemen van al zijne beesten, en ballingschap vry, en begaf zich by de *Goringhaikonas*, by het Fort van goeder hope, verlaten van al zijne vrienden, met belofte echter, dan zoo hy zich als te voore weder wilde dragen, al dan weder in genade zoude aengenomen worden. Een teken van noch eenige tucht onder deze wilden.

STRAFFE DER DOOTSLAGEN EN QUETSURE.

Wanneer iemant den eenen of den anderen, door gramschap of toornigheit, komt doot te slaen of te steken, zulx wort by hen mede voor een gewichtige zake opgenomen, inzonderheit indien een perzoon van aenziene, redelijk van wijsheit, staet en rijkdom, zulx gepleeght heeft; overmits zy zeggen, zulk een perzoon, met meer verstant als een ander, beter behoorde te weten, en eenen anderen met goede exempelen, (aengezien hy mede een vonnis-wijzer is) wijzelijk voor te gaen. Weshalve wort zulk eenen de hals aen eenen boom toegeworght, en doot in het zelfste graf by den doden gelegt; daer in tegendeel andere onnozele byzondere luiden 't zelven door vee, en geringer straffe beter kunnen afmaken, dan een grote wijze (of, zoo gemeent wort) raetgever. Zommigen misdadigen, die de doot verdient hebben, worden de knien doornagelt en met een yzere penne aen de schouderen vast gehecht, en dus met een langzame doot gestraft.

HUIZEN.

Wat hunne huizingen belangt, zy leven als d'Arabers op 't velt, in hutten, gemaekt van enkele krom gebogen stokken, in 't ront gezet, en met bies-matten, die zy zelfs zeer net en aerdigh weten te vlechten, overdekt; de zommigen zijn wel zoo groot, dat bequamelijk tien of twintigh man, met vrou en kinderen, daer in hun verblijf kunnen houden;

● 681 **) Dapper's account of Hottentot legal procedure and methods of punishment is much fuller than that of most other observers, so that its accuracy cannot be easily estimated. From such other information as is available, however, it seems that offences such as murder, manslaughter, treason, theft, incest, adultery and sodomy were all regarded as crimes punishable by death, and were tried by the chief and his council. The court sat in a circle, with the accused in the centre, where he could hear all that

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9: Ten Rhyne D-5 (1673) 1933
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Their wives have one finger joint, beginning from the first of the little finger, cut off for every man they have [16]). Like the Mohammedans the Hottentots indulge in polygamy. The justice of the people is administered according to their natural impulses, not regulated by law. The only punishment is that for homicide. In this event all the relatives of the dead man pursue the slayer; they do not rest till they have exacted vengeance. When they find the guilty man, they club him to death, or transfix him with spears, and continue to inflict blows upon him when already dead. Other offences, whether adultery or theft, they punish only by the *lex talionis* [17]). Finally, they have this peculiar custom: if a young man among them falls ill, they slaughter a fat ox, which will shortly furnish a delicious feast; and round the neck of the invalid they hang the largest of the internal organs, together with the omentum, and leave them there till they fall off rotten, when they must be eaten by the old men [18]). In the matter of succession the law of inheritance prevails among them, especially among the Essequas.

CHAP. XXIII.

Marriage.

When they wish to embark on marriage they approach their parents, who then approach the chief, so that they may have full permission to marry a maiden. But they never do this unless they possess at least one draught-ox, for removing the hut with its furniture, one or two milch cows, and ten or twelve sheep to celebrate the betrothal or the bringing home of the bride, etc. But those who are richer practise polygamy in the manner of the Turks; and

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a sheep on the ground, and to cut from it from time to time, in the presence of the patient, a piece of meat, which is given to the healthy persons. This meat is placed on the fire for a short time and consumed half raw, while the patient is vigorously smeared all over with the warm fat, torn out of a living sheep. In addition, the entrails of the beast are hung round the patient's neck, the treatment they believe will effect a speedy cure" (*V.R. Soc.* 5, 85). This rite (of which Ten Rhyne's description is but fragmentary), was not restricted to young men, as his statement would seem to imply, but was performed on all very sick people. His remark about the old men having to eat the rotten entrails which fell away from the neck of the patient is a ridiculous fantasy.

10: Grevenbroek F-5 (ca. 1694)1933
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Animi vitio laborantem, flagitiosum, et novissima meritum exemplia, circumrugienti leoni, hominibus pecorique infesto, pellibus probè infibulatum, teloque armatum, coercendis nebulonis sceleribus, tanquam faeneum hominem periculo objiciunt, advolantibus subsidio omnibus, victoremque ovatu salutant, et hoc claro egregioque facinore in integrum restituto, abrogatis legibus, criminibusque abolitis, salillo puriori, omniumque sententiis atramento sutorio absoluto cuncti gratulantur: nec de nihilo, cum leo semel carne humana pastus, ut delicantissimam omnibus praefert. Qui adhaec in pretio habet carnem caninam, visus enim est devorasse canem, ejusdemque caput postridie pro repotiis edere maluisse, quod in propinquo ante decipulam abjectum erat, quam vervecem vivum duobus inde passibus frutici alligatum dilacerare, hunc dum intactum transit, glandibusque plumbeis trajectus cadit. Quem fecunditate sua vastaturum regionem liquet, nisi conquirens sibi foetuique praedam, rediens à venatione, saepe cubile scymnis vacuum inveniret, qui ferocia aut famis instinctu latius à lustro vagantes, hominibus praeda fiunt, aut inediâ pereunt, dum catuliens leaena vel leo nostratium armis aut decipulo necatur. Huc accedit quod leones prurientem catervatim sequentes leaenam, venereo aestu saevientes se mutuo dentibus unguibusque dilacerant.

Leo à captura rediens ventriculum carnibus plenum coram pullis vomitu exonerat, pari modo leaena frustis esculentis crudis catulos alit, iisdemque insuper ubera praebit.

Qui leonem quantumlibet necat aut capit, ei ex publico aerario per aediles sedecim nummi argenti cum nummi besse, vulgo R. D. in βραβεῖον numerantur, decem si ejus dextra aut industria pardus, tres ubi lupus ceciderit, addendis acuendisque animis praemio dantur. Quo nonnulli nimium accensi suo cum damno, vitaeque jacturâ discunt, quam asper leo tactu, et quam periculosi morientium animalium ungues morsusque sunt.

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[70]) This opportunity of rehabilitating himself may conceivably have been offered to one or two criminals known to G., but it is certainly not the normal Hottentot method of administering justice, even as described by the earliest writers. Dapper's account (see above, p. 65 ff.) has far more truth in it.

[71]) As early as 1656 the Council at the Cape, in consequence of the great damage caused by wild animals, had decided to

10: Grevenbroek F-5 (ca. 1694) 1933
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A vicious, criminal person who is judged worthy of the extreme penalty is exposed to danger like a straw man, that is to say, he is well trussed up with skins, provided with a spear, and flung to a man-eating, cattle-raiding lion, to curb his rascalities. All then rush up to his support, and should he prove the victor they hail him with shouts of triumph; his brilliant exploit restores him to his former rights; the action of the law is suspended, the charge is set aside, and all congratulate him on being now cleaner than a salt-cellar and quite freed, in universal popular opinion, of the stain on his character[70]. And not without reason, for a lion who has once tasted human flesh prefers it to all other as being the most delicate.

Lions also set a special value on dog-flesh. One day a lion ate a dog. The head of the animal was thrown near by in front of a trap. Next day when the lion came back for a renewal of the feast he was observed to prefer the dog's head to a living wether tethered two paces off to a shrub. As the lion went past the wether without touching it, he was pierced by bullets and fell. Lions are so fertile that they would lay the whole countryside waste were they not kept down in various ways. Often when a lion goes off hunting for itself or its young, on its return it finds the lair empty of cubs, which through natural ferocity or the pangs of hunger stray too far from their den and become a prey to men. Or they perish of hunger, if the lioness or lion is killed by the weapons of our men or in a trap. Also when a lioness is in heat the lions follow in troops, and their sexual rage is such that they tear one another to pieces with tooth and claw.

When a lion comes back from a kill it disburdens its belly of its load of flesh by vomiting it up before the cubs, and the lioness likewise feeds them on undigested tasty morsels as well as offering them her dugs.

A man who kills or captures any sort of lion is paid by officials from the public treasury a sum of sixteen and two-thirds silver nummi, commonly called a rix dollar, as a reward; if he kills or captures a leopard he gets ten, and three for a wolf.[71] The rewards are intended to stimulate hunters, some of whom have been made so eager that they have learned only with the loss of their lives how fierce a lion is to touch and how dangerous are the teeth and claws of a dying animal.

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offer premiums for the destruction of these beasts. The original scale was: for catching and killing a lion, 6 reals; a "tiger" or hyena, 4 reals; and a leopard 3 reals (D., June 22, 1656). In every case the dead animal was to be exhibited to the Commander of the Fort.